

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 28, 2009.

[50]

JOURNAL OF THE HOUSE.

Thursday, May 28, 2009.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Jonathan M. Bevis on receiving the Eagle Scout Award of the Boy Scouts of America;

Jonathan
M. Bevis.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Patrick Nolan upon his elevation to the rank of Eagle Scout;

Patrick
Nolan.

Resolutions (filed by Ms. Callahan of Sutton) recognizing the Myasthenia Gravis Foundation on its observance of Myasthenia Awareness Month;

Myasthenia
Awareness Month.

Resolutions (filed by Representatives Grant of Beverly and Ferrante of Gloucester) congratulating the Emergency Services Nursing staff at Northeast Hospital Corporation;

Northeast
Hospital
Corporation.

Resolutions (filed by Mr. Pignatelli of Lenox) honoring Ed McCormick and his contributions to the community of Great Barrington;

Ed McCormick.

Resolutions (filed by Mr. Swan of Springfield) congratulating Dr. Esther A. Terry on her forty-year career at the University of Massachusetts/Amherst; and

Esther
A. Terry.

Resolutions (filed by Mr. Turner of Dennis) congratulating Cheryl Malone for being selected as the 2008 Animal Control Officer of the Year by the National Animal Control Association;

Cheryl
Malone.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Mrs. Poirier, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. Evangelidis of Holden and Senator Flanagan presented a joint petition (subject to Joint Rule 12) of Lewis G. Evangelidis and Jennifer L. Flanagan for legislation to establish a sick leave bank for Michele Merenda, an employee of the Department of Transitional Assistance; and the same was referred, under Rule 24, to the committee on Rules.

Michele Merenda,—
sick leave bank.

Papers from the Senate.

The House Bill making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2060.

General
Appropriation
Bill.

Under suspension of the rules, on motion of Mr. Murphy of Burlington, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment, and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Murphy of Burlington, L'Italien of Andover and deMacedo of Plymouth then were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

A petition of James B. Eldridge, Harriette L. Chandler, Carolyn C. Dykema, Harold P. Naughton, Jr., and other members of the General Court for legislation to establish a special commission on the reuse of Westborough State Hospital, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Westborough State
Hospital.

The House then concurred with the Senate in the suspension of Joint Rule 12, and non-concurred with said branch in its reference to the committee on Municipalities and Regional Government.

On motion of Mr. Walsh of Lynn, the petition (accompanied by bill, Senate, No. 2059), was referred, in non-concurrence, to the committee on State Administration and Regulatory Oversight. Sent to the Senate for its action.

A petition of Stephen M. Brewer for legislation to establish a sick leave bank for Maureen Write, an employee of the Department of Mental Retardation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Maureen Write,—
sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2058) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules, and the committee on Rules of the two branches acting concurrently, that Joint Rule 12 be suspended on the petition of William Smitty Pignatelli and others relative to providing for medical coverage for acupuncture treatments. Under suspension of the rules, on motion of Ms. Provost of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Acupuncture,—
medical coverage.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to substantial equivalency and oversight (House, No. 3654, changed by inserting after section 7 the following section:

CPAs,—
regulate

“SECTION 7A. Section 87A 1/2 of Chapter 112 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting the following paragraph after paragraph (h):

(i) The board shall, in its discretion, annually adjust the fees required by sections 87B(f) and 87B 1/2 (d) of this chapter, and in so adjusting the fees may take into account any loss of revenue as a result of the enactment in 2009 of An Act Relative to Substantial Equivalency and Oversight, which amended certain sections of Chapters 13 and 112 of the General Laws.”; and by inserting after section 11 the following section:

“SECTION 11A. Section 87B1/2 of chapter 112 of the General Laws, as appearing in 2006 official edition is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:—

(c)Each office of a firm within the Commonwealth shall be registered with the Board, and shall be under the charge of a person holding a valid license to practice issued under section eighty-seven B. Proof thereof shall be provided by each applicant for initial issuance or renewal of a license to practice under this section.”). Read; and referred, under Rule 33, to the committee on Ways and Means.

Mr. Murphy of Burlington, for the committee on Ways and Means, on House, No. 4109, reported, in part, a Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4122) [Cost: \$78,811,705.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplementary
appropriations.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Murphy of Burlington, the bill was read a second time forthwith; and it was

ordered to a third reading.

Subsequently under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Margaret Freddie Purcell (House, No. 4080) be scheduled for consideration by the House.

Margaret Freddie
Purcell,—
sick leave bank.

Under suspension of Rule 7A, on motion of Ms. Wolf of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed bills.

Engrossed bills

Establishing a sick leave bank for Nancy Morrison, an employee of the Department of Correction (Senate, No. 2048) (which originated in the Senate); and

Bills
enacted.

Establishing a sick leave bank for Geraldine Egan, an employee of the Department of Public Health (House, No. 4048, amended) (which originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Designating a certain structure in the town of Salisbury as the Paul H. Sullivan Sun Shad Deck (House, No. 714); and

Third
reading
bills.

Establishing a sick leave bank for Jennifer Moniz, an employee of the Registry of Motor Vehicles (House, No. 4074);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Recess.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Kafka of Stoughton (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4122), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Supplementary
appropriations.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At a quarter before one o'clock P.M., on motion of Miss Garry of Dracut (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.